**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPLICATION NO. 2335 OF 2004**

Mohammed Yakub S/o. Babu Azim Sha ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

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Through Jail.
Shri Arfan Sait, Advocate, appointed for Applicant.
Shri A.S.Gadkari, APP for the Respondent -State.

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**CORAM : A.M.KHANWILKAR, J.**
**DATED : JANUARY 28, 2005**

**PC :-**

. The principal prayer in this application is that the sentence imposed in respect of 37 different similar offences against the applicant be directed to run concurrently. The learned APP, has brought to my notice that such direction has already been passed by the lower court while imposing sentence. If it is so, no further indulgence is necessary.

2. Learned APP has also brought to my notice that the applicant has not disclosed the fact that besides 37 offences registered against the applicant, he was also tried for four other offences punishable under sections 224 and 454 of I.P.C. in connection with

C.C.No. 498/P/98; section 379 read with 34 of I.P.C. in connection with C.C. No. 50/P/98; section 379 read with 34 in C.C.No. 51/P/98 and section 379 of I.P.C. in C.C.No. 82/P/98. Assuming that the application has been submitted through jail and liberal attitude should be adopted, even so no indulgence is required because the total sentence that will have to be undergone by the applicant in all those cases will be not exceeding 12 years and 7 months, which to my mind, is just and appropriate. Hence, no interference is warranted. Rejected.

3. The court records word of appreciation for able assistance given by Advocate Shri Arfan Sait, as Amicus Curiae.

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